

[HOUSE BILL No. 135.]

HOUSE OF REPRESENTATIVES, June 1, 1864.—Read first and second times, referred to the Committee on Impressments and ordered to be printed.

[By Mr. LYON, from Committee of Ways and Means.]

## A BILL

To be entitled An Act to provide for the settlement of claims against the Confederate States, for property lost, captured or destroyed, while in the military service of the Confederate States, or which has been taken or impounded for their use.

1 SECTION 1. *The Congress of the Confederate States of America do*  
2 *enact, That where any officer, non-commissioned officer, musician*  
3 *or private, of the army during the existence of the present war,*  
4 *has sustained, or may sustain, damage by the loss of any horse,*  
5 *which has been killed in battle, or which has died from*  
6 *wounds received therein, or because the rider was killed or*  
7 *wounded in battle, or because the owner was dismounted, or*  
8 *separated or detached from his horse by the command of a su-*  
9 *perior officer, or because he has been ordered to abandon him, or*  
10 *because sufficient forage was not furnished to the owner by the*  
11 *Confederate States, under their obligation to do so, he shall be*  
12 *allowed and paid a reasonable compensation for the horse so lost,*  
13 *not to exceed five hundred dollars.*

1 SEC. 2. That where any person, during the present war, has  
2 sustained, or may sustain, damage by the loss, capture or de-  
3 struction of any slave, horse, mule, ox, wagon, cart, boat, or  
4 other property, by the public enemy, while the same was in the  
5 actual military service of the Confederate States, by contract or  
6 impressment, except in cases where the risk to which the prop-  
7 erty would be exposed was assumed by the owner thereof, if it  
8 shall appear that such loss, capture or destruction, was without  
9 fault or negligence on the part of the owner, he shall be allowed  
10 and paid a reasonable compensation for the said property.

1 SEC. 3. That where any property has been taken by any  
2 public authority for the subsistence, equipment, support, or use  
3 of the army, and the same has been consumed, damaged, lost or  
4 destroyed, while the same is in the service or used by the army,  
5 and compensation has not been adjusted or obtained under the  
6 laws concerning impressments, after reasonable efforts to do so,  
7 the owner thereof shall be allowed to recover the value thereof  
8 under the terms of this act.

1 SEC. 4. That the President, by and with the consent of the  
2 Senate, is hereby authorized to appoint one commissioner in  
3 each State, in which the claims shall be of sufficient number and  
4 magnitude to require it, whose duty it shall be to decide upon all  
5 cases arising under this act, and who, in the discharge of his  
6 duties, shall be subject to such rules and regulations as shall be

prescribed by the Attorney General. Such commissioner shall receive the sum of two thousand five hundred dollars for the time he shall be actually employed; which shall not exceed two years from the passage of this act.

SEC. 5. That the said commissioner, before entering upon the performance of his duties, shall subscribe an oath and file it in the office of the clerk of the district court of the Confederate States for the district in which he is to perform his duties, for the true and faithful performance of the duties imposed upon him by this act, upon which he shall proceed to appoint a clerk who shall have a salary of dollars. That the said commissioner shall have power to summon witnesses, and to examine them on oath, and award commissions to any discreet magistrate to examine them when they shall not reside within fifty miles of the place of examination, under such rules as he may prescribe, and he shall cause a record of all the oral testimony given in any case to be made, and shall preserve the written evidence submitted, and shall record his adjudications in a well bound book, with a concise statement of his reasons therefor, which book shall be subject at all times to the inspection and control of the Department of Justice. And the President shall have power to employ a law agent to attend any of the said commissioners, with a salary of dollars, if he shall deem the same to be necessary.

Sec. 6. That the Attorney General shall, with all practicable dispatch, proceed to prepare such rules for the direction and guidance of the commissioners, in reference to the time and place of holding their sessions, their manner of proceeding in the reception of claims under this act, and as to the species and degree of evidence to support the same, and the mode of its authentication, as shall in his opinion be best calculated to accomplish the objects of this act and secure justice to the individual claimants, which rules shall be published in the papers in the several States in which the laws are published, for six weeks successively.

1 Sec. 7. That the several commissioners shall make a report of  
2 their decisions to the Attorney-General, together with a state-  
3 ment of the evidence in relation to the same, who shall revise  
4 the report and decisions, and shall submit the same to Congress  
5 with his opinion thereon, and an estimate in favor of the claims  
6 allowed: *Provided however*, That if the claim shall not exceed  
7 five hundred dollars it may be paid upon the approval of the ad-  
8 judication by the Attorney General.